

AO 440 (Rev. 06/12) Summons in a Civil Action

CK#005321

UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia ☐

7

ANDREW STEWART, et al.

\_\_\_\_\_  
*Plaintiff(s)*

v.

Civil Action No. 3:20-cv-00611

JAMES C. JUSTICE, II,  
in his official capacity as Governor of West Virginia,  
PUTNAM COUNTY COMMISSION, a political  
subdivision of the State of West Virginia, RICK  
SNAMAN, an individual,  
\_\_\_\_\_  
*Defendant(s)*

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

JAMES C. JUSTICE, II  
State Capitol, 1900 Kanawha Blvd. E.  
Charleston, WV 25305  
in his official capacity only

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

John H. Bryan, Attorney at Law  
411 Main Street  
PO Box 366  
Union, WV 24983  
jhb@johnbryanlaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 9/17/2020

s/Rory L. Perry II

Signature



Civil Action No. 3:20-cv-00611

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Justice, James C. H. Governor  
 was received by me on (date) 9-22-20.

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
 on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of (name of organization) \_\_\_\_\_  
 on (date) \_\_\_\_\_; or

☒ I returned the summons unexecuted because Service Refused by legal council; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 9-22-20



Server's signature

Robert Wheeler, Deputy Process Server

Printed name and title

5 Goshorn St Charleston WV 25301

Server's address

Additional information regarding attempted service, etc: On September 22nd I notified the Secretary in Governor Justice's office that I had a document that needed to be served on Governor Justice. At that time she (Kaitlyn Guyon) said let me call the legal dept. She made a phone call, when she hung up the phone, she said that the legal dept advised that this was poor service, and that they would not be accepting service. That I needed to follow procedures under Civil Service Guidelines. I asked her the name of the person she spoke to in legal and she replied I don't know. I then asked where I needed to take the document. She replied I don't know. You will have to find that out. I said OK, thank you and have a nice day. I then notified client later by telephone.